



09/964,805
Petition

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Technology Center 2100

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In re Application of: Barmore)	DECISION GRANTING PETITION
Application No.: 09/964,805)	TO WITHDRAW HOLDING OF
Filed: September 28, 2001)	ABANDONMENT UNDER 37 CFR
Attorney Docket No.: 42390.P12557)	1.181
For: METHOD FOR CONTROL OF CODECS)	
IN PC RISER CARD ARCHITECTURES)	

This decision is in response to the petition under 37 CFR § 1.181 filed November 29, 2004 to withdraw the holding of abandonment. The Notice of Abandonment was mailed November 10, 2004.

The petition is **GRANTED**.

A grantable petition must include a copy of the response and proof of timely filing of the response. A properly used Certificate of mail transmission that includes a 37 CFR 1.8 (b) (3) Statement or a Stamped Post Card Receipt that properly identifies the contents of the submission is acceptable. No fee is required.

In support of the petition, the practitioner has provided a copy of an amendment with a certificate of mailing, and accompanying transmittal letter with a fee authorization for charging requisite fees for extensions of time, and a copy of a stamped postcard receipt with a stamped date of June 14, 2004. The USPTO postcard receipt that itemizes and properly identifies the items that are being filed serves as *prima facie* evidence of receipt in the USPTO of all the items listed thereon on the date stamped by the USPTO.

The evidence provided establishes that a timely response to the office action of March 30, 2004 was filed on June 10, 2004 with authorization to charge the requisite fee for extensions of time necessary for the response to be considered timely. The Office failed to match the complete response to the application file.

The petition is **GRANTED**. The application was not abandoned in fact. The Office regrets any inconvenience caused by this error.

The application will be forwarded to the Technical Support Staff with instructions for withdrawing the holding of abandonment and for processing of the response to the Office action that was filed June 10, 2004. No fee is required. Thereafter, the application will be forwarded to the examiner for

consideration of applicants' amendment. The attorney docket number has been updated as per the request for change of Attorney docket number, submitted with the amendment filed June 10, 2004.

A handwritten signature in black ink, appearing to read "Brian L. Johnson", written over a horizontal line.

Brian L. Johnson
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HMJ: 1/7/05